

COMMITTEE AMENDMENT FORM

DATE: 02/28/07

COMMITTEE ZONING PAGE NUM. (S)

ORDINANCE I. D. #07-O-0144 SECTION (S)

RESOLUTION I. D. #07-R- PARA.

AMENDS THE LEGISLATION BY ADDING ELEVEN (11) CONDITIONS

AMENDMENT DONE BY COUNCIL STAFF 02/28/07

City Council
Atlanta, Georgia

07-O-0144

AN ORDINANCE
BY: ZONING COMMITTEE

Z-06-133
Date Filed: 12-5-06

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **Z-06-133 for 608 Ralph McGill Blvd., & former Fortune Street public right of-way (14-0018-007-020-21)** be changed from the C-1-C (Community Business Conditional) District and I-1 (Light Industrial) District to the MR5A-Conditional (Multifamily Residential - Conditional) to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 18, 14th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

Zoning Conditions

As amended February 6, 2007

Rezoning: **608 Ralph McGill Boulevard NE and former Fortune Street Right of way (PIN 14-0018-0007-020-2)**

From: **C-1-C and I-1**

To: **MR-5A-C**

1. As used herein, Sidewalk-Level shall have the meaning utilized in the Multifamily Residential (MR) District regulations.
2. As used herein, centerline of Ralph McGill Boulevard shall mean the midpoint of the street's 50 feet wide right-of-way as it existed on February 6, 2007.
3. The conceptual building footprints, open space, parking locations shown on the approved site plan are for illustrative purposes only. The project shall be developed in accordance with the use limitations, building setback lines, building height limitations, and density limitations contained herein and in the MR-5A district regulations.
4. Parking decks shall be completely screened from view with a liner building to surround the deck, except at street-level ingress and egress and in areas interior to the development.
5. The height of any parking deck shall not exceed the height of the immediately adjacent/adjoining building.
6. Façade Materials
 - a. Facades of the first two stories shall be faced in brick; terracotta; stone; masonry with the appearance of brick, terracotta or stone; poured-in-place concrete; or hard coat stucco. No more than 33 percent of the total façade area of the first two stories along any single street (including windows and doors) shall be hard coat stucco.
 - b. Above the second story no more than 66 percent of the total façade area along any single street (including windows and doors) shall be hard coat stucco.
 - c. The following exterior building materials are prohibited: vinyl siding and exterior insulation finish systems (EIFS).
 - d. Solid vinyl windows may only be utilized above the second story.
7. Building Height
 - a. Within 55 feet of the centerline of Ralph McGill Boulevard, no portion of a building shall exceed four stories in height.
 - b. Fifty-five feet or greater from the centerline of Ralph McGill Boulevard, no portion of a building shall exceed 80 feet above grade.
8. Window frames shall be recessed a minimum of two inches from the exterior façade.

9. No exterior building stairs seen from the street shall be made of wood, and risers shall be enclosed.
10. Exterior chimneys shall extend to the ground.
11. Exterior columns shall have a minimum width of five and one-half inches.
12. Building foundations shall be faced in brick, terracotta, stone, masonry with the appearance of brick, terracotta or stone, poured-in-place rubbed concrete, or hard coat stucco.
13. As used herein, Residential Treatment shall:
 - a. Provide doors and vertical windows arranged horizontally at the sidewalk-level,
 - b. Provide windows for a minimum of 30 percent of the total sidewalk-level street facade area, with each façade being calculated independently,
 - c. Provide porches or a stoop, which may be shared between two adjacent units, at each Sidewalk-level entrance, and
 - d. Not allow garage doors opening onto the street.
14. As used herein, Storefront Treatment shall have the meaning utilized in the Mixed Residential Commercial (MRC) District regulations for Non-residential fenestration.
15. Along all streets buildings shall provide a sidewalk-level Residential Treatment or a sidewalk-level Storefront Treatment
16. Fences that are located adjacent to a public or private street shall be of painted wood, stone, composite materials, masonry or metal. The finished sides (i.e. "fronts") of one-sided fences shall face public or private streets, parks, plazas, courtyards that face a public or private street, or sidewalk level outdoor dining areas. Except when located along a side or rear lot line, barbed wire or chain link fences shall not be visible from any public or private street, park, plaza, courtyard or sidewalk level outdoor dining area. Razor wire fences are prohibited.
17. All windows with divided lights shall utilize true divided lights or simulated divided lights. Flat "snap-in muntins", and muntins that are sandwiched between layers of glass are prohibited.
18. Asphalt paving shall only be utilized in areas for vehicular circulation.
19. Buildings shall be designed and pedestrians shall be directed by the internal layout and signage of buildings in a manner that shall enable them to enter and exit a building onto the same sidewalk. The use of fire escapes as primary entrances is prohibited.

R. Portis Approved
2/6/07
NPM and USK

**Conditions for Z-06-133 for 608 Ralph McGill Blvd.,
and (former Fortune Street public right of-way (14-0018-007-020-21))**

1. Parking decks shall be completely screened from view at street level with a liner building to surround the deck, except at street-level ingress and egress.
2. The height of any parking deck shall not exceed the height of the immediately adjacent/adjoining building.
3. Façade Materials
 - a. The first two stories of all facades shall be faced in brick; terracotta; stone; masonry with the appearance of brick, terracotta or stone; poured-in-place concrete; or hard coat stucco.
 - b. The following exterior building materials are prohibited: vinyl siding, , and exterior insulation finish systems (EIFS).
 - c. Solid vinyl windows may only be utilized above the first story.
4. Buildings shall have a maximum height of 80 feet.
5. Window frames shall be recessed a minimum of two inches from the exterior façade.
6. No exterior stairs seen from the street shall be made of wood, and risers shall be enclosed.
7. Exterior chimneys shall extend to the ground.
8. Exterior columns shall have a minimum width of five and one-half inches.
9. Foundations shall be faced in brick, terracotta, stone, masonry with the appearance of brick, terracotta or stone, poured-in-place rubbed concrete, or hard coat stucco.
10. As used herein, Residential Treatment shall:
 - a. provide doors and vertical windows arranged horizontally at the sidewalk-level,
 - b. provide windows for a minimum of 30 percent of the total sidewalk-level street facade area, with each façade being calculated independently,
 - c. provide porches or a stoop, which may be shared between two adjacent units, at each Sidewalk-level entrance, and
 - d. not allow garage doors opening onto the street.
11. A publicly accessible pedestrian walkway shall be provided along the north side of the property. Said walkway shall provide pedestrian access from public sidewalks on Glen Iris Drive to those on Ralph McGill Boulevard. Said walkway shall also have a minimum width of six feet, and may include stairs as needed.

City Council
Atlanta, Georgia

07- 0 -0144

Z-06-133

Date Filed: 12-5-06

AN ORDINANCE
BY: ZONING COMMITTEE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **608 Ralph McGill Boulevard, N.E. and a parcel formerly designated as the former Fortune Street public right-of-way (Parcel Number-14-0018-0007-020-21))** be changed from C-1-C (Community Business-Conditional) and I-1 (Light Industrial) District to the MR5A-C (Multi-Family Residential-Conditional) District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 18. 14th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

December 4, 2006

Legal Description (1 of 2)

Rezoning: 608 Ralph McGill Boulevard NE and former Fortune Street Right of way (PIN 14-0018-0007-020-2)

From: C-1-C and I-1

To: MR-5A-C

608 Ralph McGill Boulevard NE

TRACT 6

All of that tract or parcel of land lying or being in Land Lot 18, 14TH Land District, City of Atlanta, Fulton County, Georgia and being more particularly described as follows:

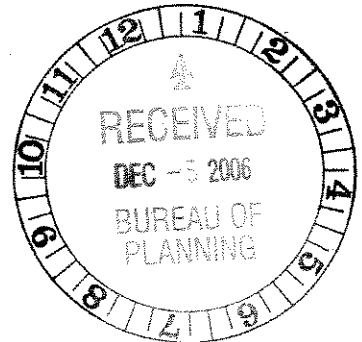
Beginning at a point at the intersection of the northerly right of way of Ralph McGill Boulevard (50' R.O.W.) and the easterly right of way of Glen Iris Drive (50' R.O.W.); thence northeasterly along the easterly right of way of Glen Iris Drive (50' R.O.W.) North 03 degrees 29 minutes 05 seconds East, a distance of 293.61 feet to a 5/8" rebar and cap stamped Armstrong L.S. 1901;

thence leaving said right of way South 87 degrees 15 minutes 47 seconds East, a distance of 309.79 feet to a 5/8" rebar and cap stamped Armstrong L.S. 1901;

thence South 03 degrees 36 minutes 20 seconds West, a distance of 294.77 feet to a 5/8" rebar and cap stamped Armstrong L.S. 1901 on the northerly right of way of Ralph McGill Boulevard (50' R.O.W.);

thence northwesterly along the northerly right of way of Ralph McGill Boulevard (50' R.O.W.) North 87 degrees 03 minutes 00 seconds West, a distance of 309.15 feet to a point; said point being THE POINT OF BEGINNING.

Said tract or parcel containing 91,035 square feet or 2.09 acres.



Z-06-133

December 4, 2006

Legal Description (2 of 2)

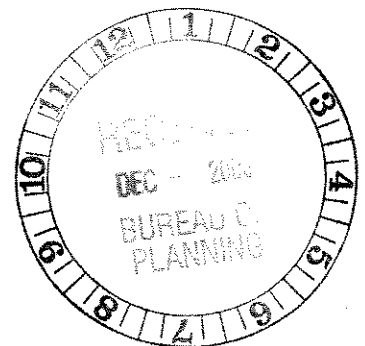
Rezoning: 608 Ralph McGill Boulevard NE and former Fortune Street Right of way (PIN 14-0018-0007-020-2)
From: C-1-C and I-1
To: MR-5A-C

Fortune Street Right-of-Way (PIN 14-0018-0007-020-2)

TRACT 7

All of that tract or parcel of land lying or being in Land Lot 18, 14TH Land District, City of Atlanta, Fulton County, Georgia and being more particularly described as follows:

Commencing at a point at the intersection of the northerly right of way of Ralph McGill Boulevard (50' R.O.W.) and the easterly right of way of Glen Iris Drive (50' R.O.W.); thence southeasterly along the northerly right of way of Ralph McGill Boulevard (50' R.O.W.) South 87 degrees 03 minutes 00 seconds East, a distance of 309.15 feet to a 5/8" rebar and cap stamped Armstrong L.S. 1901; said 5/8" rebar and cap stamped Armstrong L.S. 1901 being THE POINT OF BEGINNING. thence leaving said right of way North 03 degrees 36 minutes 20 seconds East, a distance of 294.77 feet to a 5/8" rebar and cap stamped Armstrong L.S. 1901; thence North 03 degrees 36 minutes 20 seconds East, a distance of 25.00 feet to a 5/8" rebar and cap stamped Armstrong L.S. 1901; thence South 86 degrees 59 minutes 50 seconds East, a distance of 50.00 feet to a point; thence South 03 degrees 36 minutes 19 seconds West, a distance of 295.45 feet to a 1/2" rebar on the northerly right of way of Ralph McGill Boulevard (70' R.O.W.); thence southwesterly along said right of way South 65 degrees 58 minutes 50 seconds West, a distance of 53.52 feet to a 5/8" rebar and cap stamped Armstrong L.S. 1901 at which Ralph McGill Boulevard changes to a 50' right of way; thence southwesterly along said right of way South 87 degrees 03 minutes 00 seconds West, a distance of 2.58 feet to a 5/8" rebar and cap stamped Armstrong L.S. 1901; said point being THE POINT OF BEGINNING.
Said tract or parcel containing 15,410 square feet or 0.35 acres.



Z 06-133

RCS# 903
2/05/07
2:20 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE

07-O-0143,0144,0145,0146,0147,0148,0149
07-O-0150,0151,0152
REFER ZRB/ZONE

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 1
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	E Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

MULTIPLE